

If the anion must also be elected, it is  $\text{PF}_6^-$ . The heterocycle is a reactive group as may be seen on page 44.

2. The requirement is traversed.

This is the national stage of a PCT application, so PCT unity rules apply. Citation of 35 USC 121 and 37 CFR 1.143 as basis for restriction is thus improper.

The species restriction is procedurally improper because under PCT unity practice, there must be a holding of a posteriori lack of unity (based on a cited and explained prior art reference) before restriction in a genus/species situation. See PCT Administrative Instructions, Annex B, paragraph (c).

Applicants respectfully submit that a generic claim is allowable and hence the species restriction should be withdrawn.

3. The following pending claims appear to be generic to, or otherwise read upon, the elected ATOTA-1: 1, 2, 5, 9, 12, 70, 71, 74, 78, 83, 85, 87, 91, 94-96, i.e., if the restriction is maintained, only claims 3, 4, 72 and 73 would be withdrawn.

Respectfully submitted,

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